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C O N F I D E N T I A L BAGHDAD 002464

SIPDIS

E.O. 12958: DECL: 12/31/2018

TAGS: [PGOV](#) [ECON](#) [IZ](#)

SUBJECT: COR FAILS TO PASS PROVINCIAL ELECTIONS LAW, PASSES
BUDGET, RECESSES FOR ONE MONTH

REF: BAGHDAD 2458 AND PREVIOUS

Classified By: Political Counselor Robert Ford for reasons 1.4(b) and (d).

Summary

¶1. (SBU) On August 6, the Council of Representatives (CoR) passed the 2008 budget supplemental, but failed to vote on the provincial elections law. It then recessed until September 9. Speaker Mashadani ordered the creation of a committee to find a compromise solution on Kirkuk, and promised to call an extraordinary session if the committee succeeded during the break, but we and others think this unlikely to happen. Agreement on the elections law appeared close throughout the day (as American, British and UN mediation and urging continued), but ultimately not enough Sunnis could be brought on board to allow the law to pass with broad support. Mashadani's decision to adjourn caused dissension within the CoR presidency council. End Summary.

Work of committee on constitutional changes extended, budget supplemental passed

¶2. (SBU) On August 6, the CoR met to consider the \$21 billion 2008 budget supplemental and the provincial elections law. Although it was scheduled to convene at 1000, after one false start the session finally got under way at 1430. A quorum of around 150 members was present, swelling later to around 190 (138 are required). Speaker Mashadani announced an extension of the mandate of the committee on constitutional changes. He then called on the finance committee to do the third reading of the budget, with certain amendments proposed by the Council of Ministers and by CoR members. Despite some procedural objections, the budget was passed rapidly (we will report details septel when we have them).

Elections law: suspense, then failure

¶3. (SBU) With the budget having passed, the last obstacle to the CoR's recessing for the summer fell, and all awaited a vote on the provincial elections law. Speaker Mashadani, however, called for a one-hour adjournment in order to discuss what he considered to be a promising (but unspecified) new proposal. Up until then, debate (and strenuous U.S., UN and UK mediation) had been focused on a brief, UN-proposed draft whose crux was a delay in elections in Kirkuk coupled with the stipulation that, until elections were held there, Kirkuk could not be attached to the Kurdish Regional Government (KRG).

¶4. (C) Before the session started, PolMinCouns and PolOffs had met with various CoR members and with UN reps. PolMinCouns met with First Deputy Speaker Khalid al-Attiya,

who told him that the Kurds and UIA (Attiya's own bloc) supported the UN-proposed language, but that they did not yet have enough Sunni support in order for the law to pass with sufficiently broad support from all of Iraq's communities. Attiya did not want to vote on the law without that Sunni Arab support. Soundings throughout the day suggested that agreement was close at more than one point.

¶15. (SBU) At 1620, Mashadani reconvened the CoR and called Hashim al-Ta'e, chairman of the special committee charged with examining the Presidency Council's veto of the provincial elections law (reftels), to present the committee's report. Al-Ta'e outlined the reasons for the veto, then announced that the committee had been unable to agree on a solution and thus had no report to present.

¶16. (C) Mashadani then announced that he was creating yet another committee, under the aegis of the UN, to study the problem. He adjourned the CoR for its summer recess, until September 9. Mashadani did say that, if the committee found a compromise solution during the recess, he would call an extraordinary session. (Comment: With CoR members leaving almost immediately on vacation -- some literally had their air tickets in their hands, and 40-50 left after the budget vote -- we think this unlikely to happen. One CoR member told us afterward that the only way to make the committee meet would be for the U.S. to close the airport. End Comment).

¶17. (C) Mashadani's abrupt closing of the session left confusion and some anger among those who had thought a vote was imminent. Mashadani only informed second deputy speaker Arif Tayfur of his decision as the speaker and two deputy

speakers sat at the podium just before the announcement. As members poured out through the chamber's doors, Tayfur sat alone on the podium, looking stunned. Mashadani's security advisor told us later that an acrimonious meeting of the CoR's presidency council was taking place in Mashadani's office, with Attiya and Tayfur arguing that one additional day's negotiations would have sufficed to bring the law to a vote.

¶18. (C) Some important CoR Sunni Arab members who have been influential among the bloc have come far. For example, deputies Mohammed Tamim (from Kirkuk) and Felah Zaydan (from Mosul) told us this evening that they understood the UN short language was the best they could get; Zaydan exclaimed that the Sunnis were making a mistake delaying provincial elections in Mosul because of Kirkuk. Tamim commented that emotions on the Sunni Arab street were running high and the focus in his constituency had changed from local elections to the future of Kirkuk. Zaydan commented that he was getting constant phone calls to stand tough against the Kurds. Tamim concluded that it might be better to let tempers cool a bit. PolMinCouns agreed that the Sunnis had erred and urged them to form the committee quickly and develop a new draft law on the basis of the UN proposal. These two deputies both thought the UN text would serve as the starting point. Senior Kurdish politician Rowsch Shuways minutes later told us that the Kurds also would agree to use the UN text as the starting point.

Comment

¶19. (C) The failure of the law to pass makes it unlikely that provincial elections can be held anywhere in Iraq this calendar year. This will please those political factions that expected to do poorly in elections. The ongoing voter registration process has raised expectations among many Iraqis, however, perhaps especially of those belonging to groups that expected to increase their representation this year, notably the Sunnis that boycotted the 2005 elections.

¶10. (C) Our sense is that with just another day or two, enough of the harder-line Sunni Arabs, like Mashadani, Tamim and Zaydan, would have come forward to give the larger Iraqi

Islamic Party enough cover to vote for the law. The UN political advisor working the texts thought so as well. We're not sure exactly why Mashadani didn't wait for just one more day. In any case, with this parliamentary session now closed, the air is out of the balloon and we don't expect a new law to be voted on until September at the earliest. In the meantime, we will be pushing the CoR leadership to get the committee formed and for that committee to start its work based on the UN text.

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